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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,803	03/30/2001	Zhongming Yu	49986-0504	7413

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EXAMINER

NOLAN JR, CHARLES H

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary

Application No.

09/823,803

Applicant(s)

YU, ZHONGMING

Examiner

Charles H Nolan, Jr.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-13, 25-31, 39, 40 and 43-48 is/are pending in the application.
- 4a) Of the above claim(s) 25-31, 39, 40 and 45-48 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-13, 43 and 44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 7-8,43 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Farrell (6,233,414).

With respect to Claims 7, Farrell teaches the displaying step in figure 4B @ S220, S230, the receiving step in figure 4A @ S110 and the transmitting step in figure 5A @ S350 and column 4, lines 56-64, the processor, memory and list of sequences in his claims 1-8. With respect to Claim 8, Farrell teaches the receiving and generating steps in figures 4A-4B and column 2, lines 64-67 and column 3, lines 1-5. With respect to Claim 43, Farrell teaches the determining and automatically updating steps in figures 4A-4B.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farrell in view of Ebner.

With respect to Claims 9-10, Farrell teaches all the claim limitations except that the set of one or more includes two or more and the receiving and transmitting steps. Ebner teaches that the set of one or more includes two or more in column 2, lines 1-7 and the receiving and transmitting steps in figures 2 and 3A-3D. It would have been obvious to one of ordinary skill in the art to include two or more media types and the receiving and transmitting steps of Ebner in to the invention of Farrell to "adapt to a wide variety in efficient manner" as taught by Ebner in column 1, lines 15-19. With respect to Claim 11, Farrell teaches all the claim limitations except for transmitting the various paper sources and ranges in a single print request. Ebner teaches transmitting the various paper sources and ranges in a single print request in his claim 15. It would have been obvious to one of ordinary skill in the art to transmit the various paper sources and ranges in one request because "there is often demand for selected pages in a set to incorporate ...features such as ...differing paper types, sizes..." as taught by Ebner in column 1, lines 23-25.

5. Claims 12-13,44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ebner in view of Farrell

With respect to Claim 12, Ebner teaches the selecting steps where the first, second and third paper sources and page ranges are different in column 5, lines 35-42(see also figures 3A and 3C-3D) and the transmitting step in figure 3B. Ebner teaches all the claim limitations except for the determining step. Farrell teaches the determining step in

figures 4A-4B. It would have been obvious to one of ordinary skill in the art to incorporate the determining step of Farrell into the invention of Ebner to "customize the ready indication" as taught by Farrell in column 1, lines 33-34. With respect to Claim 13, Ebner teaches the receiving and generating steps in figures 3A-3D and his claim 15. With respect to Claim 44, Ebner teaches all the claim limitations except for determining and automatically updating steps. Farrell teaches the determining and automatically updating steps in figures 4A-4B. It would have been obvious to one of ordinary skill in the art to incorporate the determining and automatically updating steps of Farrell into the invention of Ebner so that operators "can receive exactly the status information they require..." as taught by Farrell in column 1, lines 33-34.

Response to Arguments

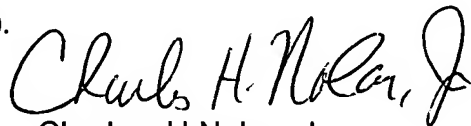
6. Applicant's arguments, see arguments, filed 11-12-04, with respect to the rejection(s) of claim(s) 7-13 under 35 U.S.C. 103 over Ebner in view of Daughton have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Farrell.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles H Nolan, Jr. whose telephone number is 571-272-2171. The examiner can normally be reached on Monday through Thursday 8:00 AM to 6:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 571-272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Charles H Nolan, Jr.
Primary Examiner
Art Unit 2854

CHN